

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 CRIMINAL APPLICATION NO. 3191 OF 2019

SOMESH S/O. NAMDEV JAIMHETRE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. N. B. Jadhav h/f Mr. G. P. Shinde
APP for Respondent No.1-State : Mr. Sachin J. Salgare

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**CORAM : V. K. JADHAV AND
SHRIKANT D. KULKARNI, JJ.
DATED : 21th AUGUST, 2021**

PER COURT:-

1. We have heard learned counsel for the applicants for some time.
2. Learned APP has pointed out that by order dated 14.02.2019, this Court (Coram: S. S. Shinde & R. G. Avchat, JJ.) has disposed of Criminal Application No. 3589 of 2018 in Criminal Application No. 3840 of 2017 with liberty to the applicants to file appropriate proceedings to challenge the charge-sheet till 04.03.2019 only. Learned APP submits that this application is filed in the month of September 2019. Learned APP submits that this application cannot

be entertained as the same has been submitted beyond the period for which the liberty was granted.

3. Learned counsel for the applicants thus, on instructions, seeks leave to withdraw this Criminal Application with liberty to the applicants to file an application for discharge before the trial court in the pending case.

4. Leave granted. The Criminal Application is dismissed as withdrawn with liberty to the applicants to file an application for discharge before the trial court in the pending case.

(SHRIKANT D. KULKARNI, J.)

(V. K. JADHAV, J.)